

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

TRISTAN SHAW,

Defendant.

) Criminal No. 1 :16-CR-160 (GLS)

) Indictment

) Violations: 18 U.S.C. § 2252A(a)(2)(A)
) [Receipt of Child
) Pornography]

) 18 U.S.C. § 2252A(a)(5)
) [Possession of and Access
) With Intent to View Child
) Pornography]

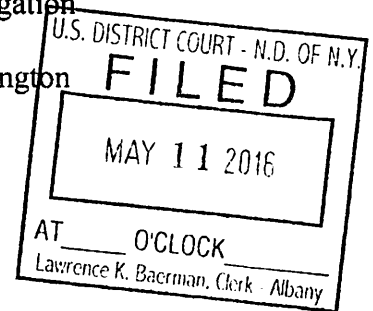
) 2 Counts and Forfeiture Allegation

) County of Offense: Washington

THE GRAND JURY CHARGES:

COUNT 1

[Receipt of Child Pornography]



On or about November 26, 2009 through on or about November 26, 2013, in Washington County in the Northern District of New York, and elsewhere, the defendant, **TRISTAN SHAW**, did knowingly receive child pornography using a means and facility of interstate and foreign commerce, shipped and transported in and affecting such commerce by any means, including by computer, in that the defendant did receive, by way of the Internet, graphic image files depicting one or more minors engaged in sexually explicit conduct, in violation of Title 18, United States Code, Sections 2252A(a)(2) and (b)(1).

COUNT 2
[Possession of Child Pornography]

On or about November 26, 2009 through on or about November 26, 2013, in Washington County in the Northern District of New York, the defendant, **TRISTAN SHAW**, did knowingly possess and knowingly access with intent to view material that contained one or more images of child pornography that had been transported using a means and facility of interstate and foreign commerce, and in and affecting such commerce by any means, including by computer, and that was produced using materials that had been transported in and affecting such commerce by any means, including by computer, that is, a Tsunami Dream homebuilt computer with a 320GB Seagate hard drive (s/n QF12XDS) containing graphic image files of actual minors engaged in sexually explicit conduct, in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2), and 2256(8)(A).

FORFEITURE ALLEGATION

1. The allegations contained in Counts One and Two of this Indictment are hereby realleged and incorporated by reference herein for the purposes of alleging forfeiture pursuant to Title 18, United States Code, Section 2253.

2. Pursuant to Title 18, United States Code, Section 2253, upon conviction of an offense in violation of Title 18, United States Code, Section 2252A, the defendant **TRISTAN SHAW** shall forfeit to the United States of America:

- a. Any visual depiction described in Title 18, United States Code, Section 2251, 2251A, or 2252, 2252A, 2252B, or 2260 of this chapter or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported,

mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;

- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses; and
- c. Any property, real or personal, used or intended to be used to commit or to promote commission of the offenses.

The property to be forfeited includes, but is not limited to, the following:

- a. Tsunami Dream home built computer with a 320GB Seagate hard drive (s/n QF12XDS);


3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party,
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p) as incorporated by Title 18, United States Code, Section 2253(b) and by Title 28, United States Code, Section 2461(c).

Dated: May 11, 2016

A TRUE BILL, ***REDACTED***


Grand Jury Foreperson

RICHARD S. HARTUNIAN
United States Attorney

By:



Richard Belliss
Assistant United States Attorney
Bar Roll No. 515295